

1
2
3
4
5
6
7
8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT TACOMA

11 HENRY J. PRIEN,

12 Plaintiff,

13 v.

14 GARY LUCAS, *et al.*,

15 Defendants.

Case No. C07-5647 RJB/KLS

ORDER RE: PLAINTIFF'S MOTION
FOR AMENDED INFORMATION

17 Before the Court is Plaintiff's motion for amended information, in which Plaintiff sets forth
18 facts under penalty of perjury. (Dkt. # 40). The motion is noted for April 25, 2008. Plaintiff seeks no
19 relief in his motion. The Court interprets this filing as a declaration in support of Plaintiff's opposition
20 to Defendants' motions to dismiss and for summary judgment, presently noted for the same day (Dkts.
21 # 24 and 28), and will consider the declaration in that context. Defendant Wexford Health Services
22 also reviews Plaintiff's filing as a response to its motion for summary judgment. (Dkt. # 49).

23 Accordingly, it is **ORDERED**:

- 24 (1) The noting date for Plaintiff's motion for amended information (Dkt. # 40) shall be
25 **STRICKEN**; however, Plaintiff's Declaration shall be considered, along with all
26 documents and papers submitted by the parties in determining the pending motions for
27 summary judgment and for dismissal (Dkts. # 24 and 28); and

28 ORDER 1

1 (2) The Clerk of the Court shall send a copy of this Order to Plaintiff and to Defendants.

2 DATED this 2nd day of May, 2008.

3
4 
5

6
7
8
9
Karen L. Strombom
10 United States Magistrate Judge
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28